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ISMART SECURE LLC and JOSEPH BAGGIO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

E-FILED - 11/8/06

ISMART INTERNATIONAL LIMITED,

Plaintiff,

vs.

I-DOCSECURE, LLC, a California limited liability
company; E-NETSECURE SERVICES, INC., a
California corporation; INTEGRITY DATA
APPLICATIONS CONSULTING, LLC, a
California limited liability company; ISMART
SECURE LLC, a Delaware limited liability
company; JOSEPH BAGGIO, an individual;
JONATHAN BALZORA, an individual,

Defendants.

CASE NO. C 04-03114 RMW

**STIPULATION AND ~~PROPOSED~~
ORDER OF DISMISSAL WITH
PREJUDICE OF
COUNTERDEFENDANT ISMART
INTERNATIONAL LIMITED AND
DEFENDANTS I-DOCSECURE,
LLC, E-NETSERVICES, INC.,
ISMART SECURE, LLC AND
JOSEPH BAGGIO.**

AND RELATED COUNTER CLAIM.

STIPULATION

Pursuant to Federal Rule of Civil Procedure 41(a), the parties in this action stipulate that:

1. PLAINTIFF ISMART INTERNATIONAL LIMITED ("PLAINTIFF" or "ISMART") through its attorneys of record hereby stipulates to dismiss with prejudice the First Amended Complaint in its entirety against DEFENDANTS I-DOCSECURE, LLC, ("I-DOC") E-NETSERVICES, INC., ("E-NET") ISMART SECURE, LLC ("ISMART SECURE") AND JOSEPH BAGGIO ("BAGGIO") (collectively, "DEFENDANTS").

2. PLAINTIFF through its attorneys of record also agrees to stipulate to waive all rights to pursue costs and attorneys' fees against I-DOC, E-NET, ISMART SECURE and BAGGIO.

3. COUNTERCLAIMANTS I-DOCSECURE, LLC; E-NETSECURE SERVICES, INC.; ISMART SECURE, LLC; AND JOSEPH BAGGIO ("COUNTERCLAIMANTS") through their attorneys of record hereby stipulate to dismiss with prejudice their Counterclaims in their entirety against COUNTERDEFENDANT ISMART INTERNATIONAL LIMITED. ("ISMART").

4. DEFENDANTS AND COUNTERCLAIMANTS through their attorneys of record also stipulate to waive all rights to pursue costs and attorneys' fees against ISMART.

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DATED: October 31, 2006

By: CHRISTOPHER J. KELDER
Attorneys for Plaintiff and Counter-defendant
ISMART INTERNATIONAL LIMITED

DATED: October 31, 2006

By: 
MICHAEL EDELMAN
Defendants and Counterclaimants I-DOCSECURE,
LLC, E-NETSECURE SERVICES, INC.,
ISMART SECURE LLC and JOSEPH BAGGIO

ORDER

The Court hereby dismisses with prejudice the First Amended Complaint in this matter in its entirety against Defendants i-DocSecure, LLC, e-Netservices, Inc., iSmart Secure, LLC and Joseph Baggio. The Court hereby dismisses with prejudice all of the Counterclaims in this matter in their entirety against Counterdefendant iSmart International Limited. No party shall be entitled to pursue costs or attorneys' fees against Plaintiff and Counterdefendant iSmart International Limited and no party shall be entitled to pursue costs or attorneys' fees against Defendants and Counterclaimants i-DocSecure, LLC, e-Netservices, Inc., iSmart Secure, LLC and Joseph Baggio.

IT IS SO ORDERED.

DATED: 11/8/06

/s/ Ronald M. Whyte

Hon. Ronald M. Whyte
UNITED STATES DISTRICT JUDGE